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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,011	06/04/2001	Yoko Saito	500.36158CX1	3649

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EXAMINER

HAMILTON, MONPLAISIR G

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/872,011

Applicant(s)

SAITO ET AL.

Examiner

Monplaisir G Hamilton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The communication filed on 3/22/04 cancelled Claim 16 and amended Claims 17-19. Claims 17-24 remain for examination.

Response to Arguments

2. Applicant's arguments, see Paper No. 5, filed 3/22/04, with respect to the rejection(s) of Claims 16-19 under 35 U.S.C. § 102(b) as anticipated by Takagi (US 5,109,152) and Claims 20-24 35 U.S.C. § 102(b) as anticipated by Leith (US 5,196,840) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Kuroda (US 5,935,248) and Nguyen (US 5,689,566).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Nguyen (US 5,689,566).

Referring to Claims 17, 18 and 19:

Nguyen discloses a method a method for performing authentication between a client and a service server connected over a network comprising the steps of:

generating, by said client, a random number, ciphering said random numbers and transmitting said random number thus ciphered to said service server (col 4, lines 1-5);

deciphering, by said service server, said ciphered random number transmitted from said client, re-ciphering said random number thus deciphered, and transmitting said random number thus re-ciphered to said client (col 4, lines 5-40); and

re-deciphering, by said client, said re-ciphered random number, confirming whether said random number thus re-deciphered coincides with said random number generated by said client, and sending an inquiry about start of a service to said service server based on a result of the confirmation about said random number (col 4, lines 40-50),

wherein when re-ciphering said deciphered random number, said service server not only re-ciphers said deciphered random number but also ciphers a code indicating said service server, and transmits said re-ciphered random number and said code thus ciphered to said client (col 4, lines 30-40), and wherein when re-deciphering said re-ciphered random number, said client not only re-deciphers said re-ciphered random number but also deciphers said ciphered code (col 4, lines 40-60), confirms whether a service server which transmitted said re-ciphered random number and said ciphered code coincides with said service server to which

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said client transmitted said ciphered random number (col 4, lines 40-50), and sends said inquiry about start of said service to said service server, based on a result of the confirmation about said service server (col 4, lines 50-60).

4. Claims 20-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuroda (US 5,935,248).

Referring to Claims 20 and 23-24:

Kuroda discloses a method for performing authentication between a first computer and a second computer connected over a network, comprising the steps of:

transmitting, by said first computer, a service request to said second computer, a certificate being attached to said service request (col 12, lines 5-15);

generating, by said second computer, a ciphering key according to a result of confirmation of said certificate transmitted from said first computer, ciphering said ciphering key with a public key of said first computer, and transmitting said ciphering key thus ciphered to said first computer (col 12, lines 13-35);

generating, by said first computer, a random number, deciphering said ciphered ciphering key, ciphering said random number with said ciphering key thus deciphered, and transmitting said random number thus ciphered to said second computer (col 13, lines 15-30);

deciphering, by said second computer, said ciphered random number, re-ciphering said random number thus deciphered and ciphering a code indicating said second computer both

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using a private code of said second computer (col 13, lines 30-40), and transmitting said random number thus re-ciphered and said code thus ciphered to said first computer (col 13, lines 35-45); and re-deciphering, by said first computer, said re-ciphered random number and deciphering said ciphered code both using a public key of said second computer, confirming whether said re-deciphered random number coincides with said random number generated by said first computer and whether said code thus deciphered is valid (col 13, lines 40-45), and sending an inquiry about start of a service based on results of the confirmation about said random number and the confirmation about said code (col 13, lines 45-55).

Referring to Claim 21.

Kuroda discloses the limitations of Claim 20 above. Kuroda further discloses wherein said ciphering key is a session key (col 12, lines 35-40).

Referring to Claim 22:

Kuroda further discloses said code indicating said second computer is either one of a name of said second computer and a certificate of said second computer (col 13, lines 34-40).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monplaisir G Hamilton whose telephone number is (703) 305-5116. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Monplaisir Hamilton


KIM VU
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